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GOVERNMENT OF PUNJAB

DEPARTMENT OF LOCAL GOVERNMENT

(LOCAL GOVERNMENT-4 BRANCH)

[Punjab Municipal Bhawan, Sector 35-A, Chandigarh]

NOTIFICATION

The 26th August, 2020

Construction & Demolition Waste Management Policy, 2020

No.5/69/2020-2lg4/1486.-In exercise of the powers conferred by Sections 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), and in supersession of the Municipal Solid Wastes (Management and Handling) Rules, 2000, except as respect things done or omitted to be done before such supersession, the Central Government has notified the Construction and Demolition Waste Management Rules, 2016 for management of construction and demolition waste.

Whereas, in exercise of the powers conferred by sub-rule (1) of rule 9(1) of the Construction and Demolition Waste Management Rules, 2016 [hereinafter referred to as the said rules], notified under the Environment (Protection) Act 1986 (20 of 1986) on 29th March, 2016, and all other powers enabling him in this behalf, the Governor of Punjab is pleased to hereby notify the Punjab Construction & Demolition Waste Management Policy, 2020 with an emphasis on the roles and accountability of waste generators and various stakeholders, give thrust to segregation, recovery, reuse, recycle at source, address in detail the management of construction and demolition waste as under:

1. **Short title and commencement:** 1) This policy may be called Punjab State 'Construction and Demolition Waste Management Policy, 2020'.
2) This shall come into force on the date of publication in the Official Gazette.
2. **Application:** The policy shall apply to every waste resulting from construction, re-modeling, repair and demolition of any civil structure of individual or organisation or authority who generates construction and demolition waste such as building materials, debris, rubble etc.

3. **Right to Interpret**

If any question relating to the interpretation of this policy arises it shall be referred to the Administrative Secretary, Department of Local Government, Punjab, who shall give his/her decision and which decision shall be final and binding upon.

No appeal thereto in any court of law is maintainable.

4. **Definitions:** 1) Whereas, the Construction and Demolition Waste Management Rules, 2016 vide Rule 3 provides for definitions, the same shall be applicable under this policy *mutatis mutandis* for C&D Waste management.

2) Words and expressions used but not defined herein shall have the same meaning defined in the Environment (Protection) Act.

5. **Duties of the waste generator (Bulk and non-bulk) –**

i) Whereas Rule 4 of Construction & Demolition Waste Management Rules, 2016 provides for the duties of Waste Generators to be applicable under this policy *mutatis mutandis*.

ii) **Other duties of waste Generators (Bulk and non-bulk) would be**

a) To segregate construction and demolition waste at source. It may include bricks work, concrete work, various type of flooring, lean concrete, different type of cement pavements dismantled kerb, dismantled channel, road features, pavement of tile/paver blocks with lean concrete, road gullies cover, main holes cover etc.

b) No waste generator will dump/ throw the C&D waste on non-designated site(s) in any manner.

d) To transport the C&D waste to the designated collection/ processing site by the waste generators at their own cost or may avail payment based services of the respective ULB or vendors permitted by the ULB. The generator / transporter will be entitled to processed material in lieu of charges paid, if required by him.

6. **Duties of Local Authority.** The ULBs shall:-

i) issue detailed directions with regard to proper management of construction and demolition waste within its jurisdiction in accordance with the provisions of Construction and Demolition Waste Management Rules, 2016 and make a detailed plan or undertaking as applicable, from generator of construction and demolition waste;

ii) chalk out stages, methodology and equipment, material involved in the overall activity and final clean up after completion of the construction and demolition and seek assistance from concerned authorities for safe disposal of construction and demolition waste contaminated with industrial hazardous or toxic material or nuclear waste, if any.

iii) make a separate mechanism for collection and transportations of waste or by appointing private operators. And also ULBs >5 lakh population should make a Helpline number for the same.

iv) take user charges for the collection, transportation, recycling and disposal of C & D Waste. And also should penalize if the user charges are not being paid by the waste generator.

v) do the spot fines if any littering or deposition of construction and demolition waste so as to prevent obstruction to the traffic or the public or drains and also if the waste is not being segregated by the waste generator as per asked categories and the rates by ULBs. Spot fine upto Rs. 50,000 would be the authoritative powers of concerning Building Officer, Building Inspectors, Zonal Officer and Health

Officer whereas spot fines > Rs. 50,000 upto lakh would come under the authoritative powers of Additional Commissioner/ Joint Commissioner in Case of Municipal Corporations and Executive Officer, in Case of Municipal Council/ Nagar Panchayats.

vi) do the spot fines if any littering or deposition of construction and demolition waste is done by building material supplier's trucks during the transportations of building material i.e, such as sand, aggregate, cement, bricks and stones etc. so as to prevent obstruction to the traffic or the public or drains.

vii) get the collected waste transported to appropriate sites for processing and disposal either through own resources or by appointing private operators.

viii) give appropriate incentives to generator for salvaging, processing and or recycling within their premises preferably in-situ.

ix) examine and sanction the waste management plan of the generators within a period of one month or from the date of approval of building plan, whichever is earlier from the date of its submission.

x) keep track of the generation of construction and demolition waste within its jurisdiction and establish a data base and update on monthly basis.

xi) endeavour to use atleast 40% obtained of raw C & D Waste in municipality approved construction activities in non-structural applications such as lower layers of road pavements, inner colony road, filling of plinth and low lying area etc.

xii) use atleast 10% of material made out of C & D Waste in municipality construction activities such as kerbed stones, structural concrete as manufactured aggregate, paving blocks, bricks etc subject to strict quality control..

xiii) devise appropriate measures in consultation with expert institutions for management of construction and demolition waste generated including processing facility and for using the recycled products in the best possible manner.

xiv) create a sustained system of information, education and communication for construction and demolition waste through collaboration with expert institutions and civil societies and also disseminate through their own website.

xv) make provision for giving incentives for use of material made out of construction and demolition waste in the construction activity including in non- structural concrete, paving blocks, lower layers of road pavements, colony and rural roads.

xvi) make criteria for storage, processing or recycling facilities for construction and demolition waste and application of construction and demolition waste and its products.

xvii) follow the Stand Operating Procedure (SoP) while management the C&D waste.

7) Criteria for storage, processing or recycling Facilities for C&D waste and application of construction and demolition waste and its products

Rule 7 of C & D Waste Management Rules provides criteria for various activities will be applicable.

8) Duties of service providers and their contractors: ULBs by itself or through service provider will process construction and demolition waste which include screening of C&D waste up to size of 12" and removal of silt upto 10% in the waste, crushing of coarse material into four types of aggregate and their separation by screening and washing etc. issue of processed material to users/generators after receiving the construction & demolition waste.

9. Criteria for storage/ processing / stacking facilities for construction & demolition waste

The site for storage will be developed by ULB adjoining the construction & demolition waste processing plant. Stacking will be made at processing plant. C&D processing Unit will produce material as under which can be utilized in cement concrete work preferably and reduce mining work:-

1. Washed Sand
2. Crushed aggregate 10mm, 20mm, 40mm or
3. Any other valuable materials

10. Guidelines: The following guidelines shall be followed while planning for Management of Construction and Demolition Waste by the ULBs:

- i) ULBs shall have the option to handle the management of C& D Waste at its own level or through service provider or through PPP mode.
- ii) ULBs shall calculate the approximate quantity of C & D waste generated daily/ monthly/ yearly in their jurisdiction and identify/ earmark site/sites of adequate size along with as per CPCB directions for collection of waste.
- iii) The site/sites so identified/earmarked shall be notified by the ULBs and adequate publicity will be given for such site/sites for common public to dispose the waste at this/these site/sites.
- iv) ULBs shall find out/ workout ways and means for re-use of C & D waste like old bricks, tiles etc. to the extent possible and for that a long-term plan will be prepared.
- v) ULBs shall identify and prepare a list of such persons/ contractors who are involved in “brick bats” business in the jurisdiction of ULB and channelize their services and also ensure the recording of waste processed by them. The services of Self Help Groups may also be channelized for processing of C & D waste as an Income Generation Activity.
- vi) ULBs shall identify low lying area in the jurisdiction of respective ULBs, where, construction and demolition waste could be used for filling as per instructions.
- vii) ULBs having >5 lakh population shall set up processing facilities for C & D waste as per CPCB norms with cost effective technology and minimum transportation cost. The ULBs < 5 lakh population will have the option to start processing at their own level individually or in collaboration with other ULBs within a reasonable distance on mutual agreement by keeping in view the environmental concerns including cost factor for transportation.
- viii) ULBs, two or more that two ULBs or group of ULBs irrespective of population within a reasonable distance shall on mutual agreement may set up processing facilities jointly for processing of C& D Waste after following the due process of law and if the ULBs can afford to manage.
- ix) ULBs refer to the Ready Reckoner prepared by Building Materials and Technology Promotion Council Ministry of Housing & Urban Affairs Government of India), utilisation of recycled produce of Construction & Demolition Waste.
- x) ULBs shall create a sustained system of information, education and communication for construction and demolition waste through collaboration with state and other expert institutions and civil societies and also disseminate through their own website in terms of Rule 6 (10) of C& D Waste Management Rules,

2016 as systematic information, education and communication education is the key tool for sustained behaviour change to attain and sustain the clean-green environment.

xi) ULBs shall with the assistance of State formulate and implement ULB level capacity building programs for the field staff, supervisory staff, civil society organizations on SWM topics based on operations, compliance of rules/ regulations and complaint redressal & monitoring systems, behavior change trigger tools and exposure visits. State Government will guide ULBs to adopt Punjab model byelaws/ legislations to facilitate levying user charges, penalties for violators and explore revenue options like revenues from sale of waste and by products, sanitation cess, processing fee etc. to achieve financial sustainability.

11) Levy of processing charges and implementation of Construction & Demolition Waste Management Rules, 2016

a) Collection and transportation shall be done by waste generator / producer by sending the generated waste to the designated site by private transport or may call machinery of ULB for at least 10-12 cum. Segregated C&D waste after paying the charges Rs.1000/- per trip for minimum two tippers having minimum capacity of 150cft at least. Waste Producer will be provided contact number of concerned officer or ULB Compliant No.

b) ULBs shall make it mandatory for all the Government departments such as i.e ULBs' Engineering wing/Department and State Housing Board and other Board/ Corporations/ undertaking in city/ULB etc to send their C&D waste at ULBs designated collection & processing site.

c) ULBs shall ensure the their all contractors and maintenance staff use such processed material for road/ building work as well as casted material for road work by taking, kerb, channel, pavement tile/ paver for their works allotted to contractor as well as by department by paying requisite charge as attached **Annexure 'A'** and necessary recovery will be made for issued material as per rate schedule attached **Annexure-'A'**.

d) ULBs shall make it mandatory for waste generator/producer those who are going to re-construct their houses / building to send their C&D waste to processing site.

e) ULBs shall take action / challan in case of violation by transporters / generator @ Rs.5000/- per vehicle for dumping the unprocessed waste in low lying site/ land-fills/ public place in ULB. Moreover, transporter will be provided facility to take 50% process material in lieu of unclaimed quantity of C&D waste after dumping at processing site in ULB. It should be increased by 10% annually i.e. 1st April of every year. The authority to issue Challan will rest with CEs/SDE/JE (Roads) of Roads Wing / Enforcement Inspectors in case of Municipal Corporations and with EOs/ MEs/AMEs/JEs/Inspectors in case of Municipal Councils/ Nagar Panchayats.

f) Generator/ Producer in ULB who are going to reconstruct their houses should be levied the C& D waste processing cost charges @Rs.160/- per square meter of built up area at the time to approval of Revised Building Plan from ULB / Municipal Corporation Building Branch with 10% incremental increase each year 1st April onward. They are also allowed to take the processed material of same costs from construction demolition waste plant at their own transportation cost as and when they required within 1 year of approval of RBP to use as construction material to save the environment instead of mining products.

g) A nominal charges may also be levied for new constructions at the time of approval of Building Plan from ULB / Municipal Corporation Building Branch @Rs.20/- per square meter of built up area with 10% incremental increase every year 1st April onward. They are also allowed to take the processed material of same costs from construction material to save the environment instead of mining products. Government organizations like Housing Board, GMADA/ GLADA etc. whom are getting planned approved from ULB/ Municipal Corporation Building Branch may deposit the charges @Rs.20/- per square meter of built up area at the time of allotment of work.

h) The ULBs will set up Grievance redressal mechanism for redressal of public grievance in respect of C& D waste in the jurisdiction of respective ULBs.

i) In case of orders of National Green Tribunal, quantum of penalties/ environmental compensation will be levied by the ULBs in compliance of NGT orders, accordingly.

12. Duties/ responsibilities of stakeholders

i) Punjab Pollution Control Board or Pollution Control Committee-

The PPCB shall be responsible for performance of its role as prescribed in rule 8 of C&D Waste Management Rules, 2016.

ii) Revenue Department

The Revenue department in the State Government dealing with land shall be responsible for providing suitable sites for setting up of the storage, processing and recycling facilities for construction and demolition waste, if required so.

iii) Country & Town Planning Department

The Town and Country planning Department shall incorporate the site in the approved land use plan so that there is no disturbance to the processing facility on a long term basis.

iv) Municipal Administration and Public Works Department (B&R)

Procurement of materials made from construction and demolition waste shall be made mandatory to a certain percentage (say 5-20%) in municipal and Government contracts subject to strict quality control.

v) Others

Other departments/ organisations shall be responsible for taking action as per the situation arise in management of the C& D Waste and the C& D Waste Management Rules, 2016 provide therein.

SATISH CHANDRA, IAS

Special Chief Secretary to Government, Punjab,
Department of Local Government.

Chandigarh
The 26th August, 2020